

IN THE UNITED STATES DISTRICT COURT FOR THE  
DISTRICT OF NEBRASKA

|                           |   |           |
|---------------------------|---|-----------|
| UNITED STATES OF AMERICA, | ) |           |
|                           | ) |           |
| Plaintiff,                | ) | 8:07CR188 |
|                           | ) |           |
| v.                        | ) |           |
|                           | ) |           |
| JOSE A. HERNANDEZ,        | ) | ORDER     |
|                           | ) |           |
| Defendant.                | ) |           |
| _____                     | ) |           |

This matter is before the Court on plaintiff's motion to dismiss without prejudice the indictment against defendant Jose A. Hernandez (Filing No. 59). The Court finds said motion should be granted. Accordingly,

IT IS ORDERED that said motion is granted; the indictment is dismissed without prejudice against defendant Jose A. Hernandez only.

DATED this 7th day of December, 2007.

BY THE COURT:

/s/ Lyle E. Strom

\_\_\_\_\_  
LYLE E. STROM, Senior Judge  
United States District Court